



VIA ECF

The Honorable Sarah L. Cave
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

February 5, 2020

Re: *Advanced Analytics, Inc. v. Citigroup Global Markets, Inc. et al*, 04-cv-03531-LTS-SLC

Dear Magistrate Judge Cave:

Pursuant to the Court's January 9, 2019 order, the parties and proposed intervenors write jointly to report on the status of the pending motion to intervene and unseal court records. The parties and proposed intervenors continue to work in good faith to resolve the motion without court intervention.

At the proposed intervenors' request, the parties agreed to work in good faith to determine whether some or all of two additional documents—the memorandum in support of plaintiff's rule 56(d) motion, Docket No. 289, and the Fourth Fan Declaration, Docket No. 219—could be redacted and provided to the proposed intervenors. A redacted version of the memorandum and of the first eight pages of the Fan Declaration were provided. The parties continue to discuss whether some or all of the remainder of the Fan Declaration, as well as other court records, may be redacted and provided to the proposed intervenors.

To give proposed intervenors time to review these documents and to give the parties and proposed intervenors time to continue working to amicably resolve the motion to intervene and unseal, proposed intervenors ask that the Court allow until April 6, 2020 for them to attempt to resolve the motion and to notify the Court of whether the motion has been resolved. Defendants consent to the requested extension. Plaintiff would be willing to consent to the extension if there were a deadline for the parties to produce the redaction as contemplated at the end of the immediate preceding paragraph. Plaintiff proposes a deadline on or before February 21, 2020, in light of the deadline of one week set forth in the Courts' last order of extension issued on January 9, 2019, ECF 413. If granted, the parties would request a corresponding extension of the deadline for the parties to respond to the motion if it has not been resolved to April 27, 2020.

Respectfully Submitted,

/s/ Jennifer Bennett

Jennifer D. Bennett (*pro hac vice*)
PUBLIC JUSTICE, P.C.
475 14th Street, Suite 610
Oakland, CA 94612
Phone: (510) 622-8150
jbenett@publicjustice.net

Stephanie K. Glaberson
PUBLIC JUSTICE, P.C.
1620 L Street NW, Suite 630
Washington, D.C. 20036
Phone: (202) 861-5228

*Attorneys for Proposed Intervenor Brandon
Smith and the American Prospect*

/s/ Peter J. Toren

Peter J. Toren
3028 Newark Street NW
Washington, D.C.
Phone: (646) 634-4654
ptoren@petertoren.com

The parties and Proposed Intervenor's joint request for an extension of time to resolve the pending motion to intervene and unseal court records (ECF No. 412) is GRANTED in part and DENIED in part. The parties are directed to produce redacted versions of some or all of the remainder of the Fourth Fan Declaration, as well as other court records, to the Proposed Intervenor by **Friday, February 21, 2020**. The parties (Plaintiff, Defendants, and Proposed Intervenor) are directed to file a joint status report by **Friday, March 27, 2020**. If the parties are not able to resolve the motion to intervene and unseal amicably, Plaintiff and Defendants must respond to the motion by **Friday, April 17, 2020**.

SO-ORDERED 2/6/2020

*Attorney for Plaintiff Advanced Analytics,
Inc.*

/s/ Jennifer Kennedy Park

Christopher P. Moore
Jennifer Kennedy Park
Thomas S. Kessler
CLEARY GOTTlieb STEEN &
HAMILTON LLP
One Liberty Plaza
New York, New York 10006
Phone: (212) 225-2000

*Attorneys for Defendants Citigroup Global
Markets Inc. and The Yield Book Inc.*


SARAH L. CAVE
United States Magistrate Judge